

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49797 of 2019

Arising Out of PS. Case No.-128 Year-2019 Thana- NARDIGANJ District- Nawada

1. Shiva Chauhan @ Shiv Chauhan S/o Late Bhola Chauhan R/o village- Bhalua, P.S.- Nardiganj, District- Nawada
2. Laliya Devi W/o Shiva Chauhan R/o village- Bhalua, P.S.- Nardiganj, District- Nawada
3. Mosafir Chauhan S/o Shiva Chauhan R/o village- Bhalua, P.S.- Nardiganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 25-10-2019 It is submitted by learned counsel for the petitioners that the petitioner no.1 namely Shiva Chauhan @ Shiv Chauhan has died during pendency of this case. Hence, he may be permitted to delete his name from the cause title of the petition.

Learned counsel for the petitioner is permitted to delete the name of the petitioner no.1 from the cause title of the petition during course of the day.

Heard learned counsel for the petitioner no.2 and 3 and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 304(B),



201/34 of the Indian Penal Code.

Petitioners are said to have demanded dowry from the sister of the informant and committed her dowry death in association of their family members and disposed of her dead body.

It is submitted by learned counsel for the petitioners that the petitioners have no concern with the aforesaid occurrence. Petitioner no.2 Laliya Devi is mother-in-law and petitioner no.3 Mosafir Chauhan is brother-in-law. They are living separately and have no concern with the affairs of deceased and her husband. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners do not happen to be beneficiaries of the motorcycle demanded in dowry rather it is the husband of the deceased, who happens to be beneficiary. The petitioners have no criminal antecedent.

Learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties
of the like amount each to the satisfaction of Smt. Sangeeta
Kumari, J.M.1st Class, Nawada in connection with Nardiganj
P.S. Case No. 128 of 2019, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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